

JOURNAL OF THE HOUSE.

Thursday, August 28, 2014.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Appointments of the Minority Leader.

The Minority Leader announced that he had made the following appointments:

That Representative Orrall of Lakeville had been appointed to serve as his designee on the Massachusetts Service Member Post-Deployment Council established (under Section 29 of Chapter 62 of the Acts of 2014) to make recommendations regarding the implementation of a program in the Commonwealth to support service members transitioning to civilian life after deployment;

Service Member
Post-
Deployment
Council.

That Representative Wong of Saugus had been appointed to serve as his designee on the permanent commission established (under Section 6 of Chapter 165 of the Acts of 2014) on the future of the metropolitan beaches;

Metropolitan
beaches.

That Representative Ferguson of Holden had been appointed to serve as his designee on the Foundation Budget Review Commission established (under Section 124 of Chapter 165 of the Acts of 2014) to review the way foundation budgets are calculated and to make recommendations for potential changes in those calculations as the commission deems appropriate;

Foundation
budgets.

That Representative D'Emilia of Bridgewater had been appointed to serve as his designee to the Legislative and Executive Working Group established (under Section 207 of Chapter 165 of the Acts of 2014) to examine and make recommendations relative to Bridgewater State Hospital;

Bridgewater
State
Hospital.

That Representative Beaton of Shrewsbury had been appointed to serve as his designee on the 495/MetroWest Suburban Edge Community Commission established (under Section 233 of Chapter 165 of the Acts of 2014) to make an investigation and study relative to development challenges being experienced by certain Route 495/MetroWest Suburban, so-called, "edge" communities;

Route 495/
MetroWest
"edge"
communities.

That Representative Frost of Auburn had been appointed to serve as his designee on the Inventory Tax Special Commission established (under Section 235 of Chapter 165 of the Acts of 2014) to study the impact of the inventory tax on the state budget and municipal budgets, the budgetary cost of phasing out or eliminating the inventory tax and the financial and employment impacts on businesses in the Commonwealth;

Inventory
tax.

Murder,—
juvenile
offenders.

That Representative Harrington of Groton had been appointed to serve as his designee on the special commission established (under Section 7 of Chapter 189 of the Acts of 2014) to study and determine the usefulness and practicality of creating a developmental evaluation process for all cases of first degree murder committed by a juvenile;

Campaign
finance.

That Representative Dooley of Norfolk had been appointed to serve as his designee on the Campaign Finance and Disclosure Task Force established (under Section 29 of Chapter 210 of the Acts of 2014) to undertake a study of campaign finance and disclosure issues;

Autism,— etc.

That Representative Hill of Ipswich had been appointed as his designee on the special commission established (under Section 1 of Chapter 226 of the Acts of 2014) to make recommendations on policies impacting individuals with autistic spectrum disorders, which shall include, but not be limited to, asperger's syndrome, high functioning autism, smith-magenis syndrome and pervasive development disorder;

Domestic
violence
victims,—
housing.

That Representative Poirier of North Attleborough had been appointed as his designee on the special commission established (under Section 47 of Chapter 260 of the Acts of 2014) to examine the housing and shelter options available to victims of domestic violence and sexual violence and explore various options for expanding such resources through legislation; and

Medical
devices,—
tax credits.

That Representative Kuros of Uxbridge had been appointed as his designee on the special commission established (under Chapter 1 of the Resolves of 2014) for the purpose of making an investigation and study relative to the feasibility of establishing a tax credit for medical device manufacturing companies that are adversely affected by increases in the excise tax on medical device manufacturers pursuant to 26 U.S.C. section 4191, added by section 1405 of the Health Care and Education Reconciliation Act of 2010, Public Law 111-152.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Dennis B.
Symmonds.

Resolutions (filed by Messrs. Cutler of Duxbury and Calter of Kingston) recognizing the occasion of the fortieth anniversary of Sergeant Dennis B. Symmonds' dedicated service to the town of Duxbury;

Brendan
Albertson.

Resolutions (filed by Ms. Garlick of Needham) congratulating Brendan Albertson on receiving the Eagle Award of the Boy Scouts of America;

Worcester
Revolution.

Resolutions (filed by Representatives Gobi of Spencer, Naughton of Clinton and Andrews of Orange) on the occasion of the two hundred and fortieth anniversary of the Worcester Revolution of 1774;

Attleboro,—
anniversary.

Resolutions (filed by Representatives Heroux of Attleboro and Poirier of North Attleborough) celebrating the centennial anniversary of the city of Attleboro;

Robert V.
Greco.

Resolutions (filed by Mr. Linsky of Natick) congratulating Judge Robert V. Greco on the occasion of his retirement;

YMCA of
Central
Massachusetts.

Resolutions (filed by Representatives O'Day of West Boylston, Donahue of Worcester, Keefe of Worcester and Mahoney of Worcester) commending the YMCA of Central Massachusetts on providing one hundred and fifty years of commitment and support to the community; and

Resolutions (filed by Ms. Peake of Provincetown) congratulations to Francis “Flyer” Santos on the occasion of his one hundredth birthday;

Francis Santos.

Ms. Hogan of Stow, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Speliotis of Danvers, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Report.

The annual report of the Community Economic Development Assistance Corporation (under Section 6 of Chapter 40H of the General Laws) for the fiscal year 2013, was placed on file.

C.E.D.A.C.—
annual
report.

Petitions.

Ms. Benson of Lunenburg presented a petition (accompanied by bill, House, No. 4433) of Jennifer E. Benson and James B. Eldridge (by vote of the town) that the position of town collector in the town of Shirley be an appointed position; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Shirley,—
town
collector.

Ms. DiZoglio of Methuen presented a petition (subject to Joint Rule 12) of Diana DiZoglio for legislation to establish a special commission (including members of the General Court) to make an investigation and study relative to increasing transparency and public access to the legislative process in the Commonwealth; and the same was referred, under Rule 24, to the committee on Rules.

Legislative
process,—
access.

Papers from the Senate.

Bills

Recognizing Massachusetts State Parks Day (Senate, No. 1533) (on a petition); and

State Parks
Day.

Designating a certain bridge over the Merrimack River as the Congressman William H. Bates Veterans Memorial Bridge (Senate, No. 2171) (on a petition);

Bates
Memorial
Bridge.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling that the Senate Bill to increase the amount that may be appropriated from the balance of a capital project fund (Senate, No. 2162), be scheduled for consideration by the House.

Capital
project
funds.

Under suspension of Rule 7A, on motion of Mr. Speliotis of Danvers, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following Senate bills be scheduled for consideration by the House:

John
Gallagher.

Establishing a sick leave bank for John Gallagher, an employee of the Department of Youth Services (Senate, No. 2358); and

Anthony
Gerniglia.

Establishing a sick leave bank for Anthony Gerniglia, an employee of the Department of Youth Services (Senate, No. 2359);

Under suspension of Rule 7A, in each instance, on motion of Mr. Smizik of Brookline, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Children,
Families and
Persons with
Disabilities,—
study.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on Senate, Nos. 31, 41, 42, 45, 46, 50, 59, 61 and 62 and House, Nos. 6, 70, 71, 74, 86, 88, 89, 90, 91, 92, 97, 98, 99, 100, 102, 104, 107, 109, 111, 112, 126, 127, 128, 129, 131, 132, 133, 134, 140, 142, 145, 146, 153, 161, 1511, 3288, 3289, 3337 and 3617, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of certain Senate and House documents concerning children, families and persons with disabilities issues (House, No. 4429).

Pets,—
study.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 680, 725 and 3342 an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning pets (House, No. 4430).

Municipal
environment
policies,—
study.

By the same member, for the same committee, on House, Nos. 716, 778 and 827, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning municipal policy (House, No. 4431).

Public Safety
and Homeland
Security,—
study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, Nos. 2118, 2120, 2121, 2123, 2129, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2141, 2146, 2151, 2152, 2156, 2159, 2161, 2162, 2166, 2167, 2168, 2169, 2170, 2176, 2177, 2178, 2179, 2180, 2185, 2186, 2187, 2193, 2194, 2195, 2196, 2201, 2204, 2206, 3241, 3259, 3260, 3280 and 3501, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning public safety (House, No. 4432).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Ms. Hogan of Stow, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bills.

Bill
enacted.

The engrossed Bill validating the results of the annual town meeting of the town of Ashland held on May 2, 2012 (see House bill printed in House, No. 3675) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill increasing the number of licenses for the sale of alcoholic beverages in the town of Easton (see House, No. 4198, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Orders of the Day.

The engrossed Bill relative to racing days (see House, No. 4365), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4426), was considered. Racing days.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the following form: By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. (a) Notwithstanding any general or special law to the contrary, in calendar year 2014, the harness horse racing meeting licensee located in Norfolk county may simulcast live races; provided, that said licensee is licensed to and actually conducts at least 720 live races over the course of not less than 80 calendar days during the 2014 racing season with not fewer than 7 races completed on any of those 80 calendar days.

(b) Notwithstanding any general or special law to the contrary, in calendar years 2014 and 2015 the running horse racing meeting licensee located in Suffolk county may simulcast live races provided that said licensee is licensed to and actually conducts at least 500 live races over the course of not less than 65 calendar days during each racing season with not fewer than 7 races completed on any of those 65 calendar days or such other number of live races and racing days as may be approved by the Massachusetts Gaming Commission in the interest of the health and safety of horses, riders and drivers.

SECTION 2. Subsection (a) of section 1 is hereby repealed.

SECTION 3. Subsection (b) of section 1 is hereby repealed.

SECTION 4. Section 2 shall take effect on January 1, 2015.

SECTION 5. Section 3 shall take effect on January 1, 2016.”

The report was accepted; and the amendment was adopted. Sent to the Senate for its action.

House bills

Authorizing the town of Conway to continue the employment of police officer David Johnson (House, No. 4195) (its title having been changed by the committee on Bills in the Third Reading); and Third reading bills.

Creating a commission to study the feasibility of divestment of fossil fuels from the Commonwealth's pension systems (House, No. 4354, amended);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M. Next sitting.

At twenty-six minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.